IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

OP.No. 1521 of 2001(F)

PETITIONER:

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1. ADELINA, W/O. SEBASTIAN, ARACKAL HOUSE, CHELLANAM.

2. SELINA, D/O. SEBASTIAN, DO.DO.

3. JOSEPH, S/O. SEBASTIAN, DO.DO.

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BY ADV. SRI.P.KESAVAN NAIR
SRI.K.G.CLEETUS

RESPONDENTS:

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1. CHELLANAM GRAMA PANCHAYAT COMMITTEE, ANDIKADAVU P.O., ERNAKULAM, REPRESENTED BY THE SECRETARY.

2. THE SECRETARY (SPECIAL GRADE), OFFICE OF THE CHELLANAM GRAMA PANCHAYAT, ANDIKADAVU P.O., ERNAKULAM.

ADDL. 3. AGNES HERMAN, W/O.LATE JOSE HERMAN, PANAKKAL, CHELLANAM VILLAGE, NORTH CHELLANAM P.O.

ADDL. 4. GREGORY, SON OF LATE JOSE HERMAN, VIA GIUSSEPPE, CIRINCIONE 600 166, ROME, ITALY, REPRESENTED BY HIS POWER OF ATTORNEY HOLDER AGNES HERMAN.

ADDL. 5. CLARA, WIFE OF TREVOR FRANCIS, PANAKKAL, CHELLANAM VILLAGE, NORTH CHELLANAM P.O., REPRESENTED BY HER POWER OF ATTORNEY HOLDER AGNES HERMAN

ADDL. 6. ESABELLA WIFE OF DOMIYANOSE, THUNDIPARAMBIL HOUSE, SRM ROAD, ERNAKULAM 18, REPRESENTED BY HER POWER OF ATTORNEY HOLDER AGNES HERMAN

ADDL. 7. BINDU, D/O. LATE JOSE HERMAN, PANAKKAL, CHELLANAM VILLAGE, NORTH CHELLANAM P.O., REPRESENTED BY HER POWR OF ATTORNEY HOLDER AGNES HERMAN

ADDL. 8. JOSE ANTONY, SON OF LATE JOSE HERMAN, DO.DO. REPRESENTED BY HIS POWER OF ATTORNEY HOLDER AGNES HERMAN

ADDL. R3 TO R8 ARE IMPLEADED AS PER ORDER DATED 1.6.2001 IN CMP 25515/01

R1 AND R2 BY ADV. SRI.K.J.GEORGE
SRI.A.V.GEORGE
R3 TO R8 BY ADV. SRI.E.J.THOMAS

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP 2521 OF 2001 IN OP 1521 OF 2001

DISMISSED

19.3.2007 SD/-C.N.RAMACHANDRAN NAIR, JUDGE.

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF THE PURCHASE CERTIFICATE DATED 14.10.1976 ISSUED BY THE LAND TRIBUNAL, ERNAKULAM.

EXT.P2 TRUE COPY OF RECEIPT DATED 18.2.1991 ISSUED BY THE CHELLANAM GRAMA PANCHAYAT.

EXT.P2(a) TRUE COPY OF RECEIPT DATED 11.3.1993 ISSUED BY CHELLANAM GRAMA PANCHAYAT.

EXT.P3 TRUE COPY OF THE ORDER OF THE DEBT RELIEF TRIBUNAL KOCHI DATED 3.12.1999

EXT.P4 TRUE COPY OF THE ORDER OF THE APPELLATE AUTHORITY DATED 3.1.2000

EXT.P5 TRUE COPY OF THE WARRANT DATED 28.1.2000 ISSUED BY THE DEBT RELIEF TRIBUNAL.

EXT.P6 TRUE COPY OF MAHAZAR PREPARED BY THE WARRANT OFFICER ON 28.1.2000 FOR THE DELIVERY OF THE PROPERTY.

EXT.P7 TRUE COPY OF ORDER DATED 10.3.2000 IN CMP 5066 OF 2000 IN OP 3070/2000

EXT.P8 TRUE COPY OF THE ORDER DATED 24.4.2000 ISSUED BY THE SECOND RESPONDENT.

EXT.P9 TRUE COPY OF THE APPEAL MEMORANDUM DATED 22.5.2000 SUBMITTED BY THE PETITIONERS BEFORE THE FIRST RESPONDENT.

EXT.P10 TRUE COPY OF JUDGMENT IN OP 27026 OF 2000 (P) DATED 22.9.2000

EXT.P11 TRUE COPY OF THE DECISION OF THE GRAMA PANCHAYAT COMMITTEE SIGNED BY THE PRESIDENT DATED 20.12.2000

RESPONDENTS' EXHIBITS:NIL.

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

O.P.No. 1521 OF 2001

Dated this the 19th day of March, 2007

JUDGMENT

Petitioners have approached this Court for direction to the Panchayat to number their building in their names in the records of the Panchayat. It is seen that the property was subject matter of litigation between petitioners and respondents 3 to 8 and final orders are now issued in favour of the petitioners. Panchayat declined to number the building in the name of the petitioners only because of pendency of contempt petition as is evident from Ext.P11. In any case, contempt case is stated to be closed and provisional numbering is already done in favour of the petitioners under interim orders of this Court. In the circumstances, O.P. is disposed of directing the second respondent to number the buildings of the petitioners in the name of the petitioners if final orders of court or Tribunal are in favour of the petitioners.

(C.N.RAMACHANDRAN NAIR)
Judge